

Commissioners Meeting Minutes

January 7, 2008

The Randolph County Board of Commissioners met in regular session at 4:00 p.m. in the Commissioners Meeting Room, County Office Building, 725 McDowell Road, Asheboro, NC. Commissioners Holmes, Frye, Haywood, Kemp and Lanier were present. Rev. Marion Smith, retired DSS Director, gave the invocation and everyone recited the Pledge of Allegiance.

Presentation of Outstanding Volunteer Awards

Chairman Holmes and Amy Byrd, Randolph County Volunteer Center Director, presented Outstanding Volunteer Awards to Larry Cahoon, Duffy Johnson, Christine Luckenbach, Donna Miller, and Rob Reese.

Special Presentation

Kim Newsom, Personnel Director, presented a 15-year employee service award to Commissioner Kemp, who was absent for the December 3rd presentation.

Public Comment Period

Pursuant to N.C.G.S. § 153A-52.1, Chairman Holmes opened the floor for public comment.

Richard K. Paul spoke, protesting the increased level of criminality in Randolph County. He said the first order of government should be to preserve life and property of its citizens and that failure to bring justice to criminals is an injustice to the law abiding citizens. He asked that the Sheriff's Department budget be increased to provide more manpower in order to battle criminals.

Changes to Agenda

Chairman Holmes announced the following changes to the agenda:

Consent Agenda:

Change: H. Budget Amendment—Health (Partnership for Children) Replace previous memo with new memo with corrected figures.

Additions: N. Appoint Beth Moran to the Adult Care Home Advisory Committee (1-yr. initial term)

O. Appoint Susan Behr to the Nursing Home Advisory Committee (3-yr. term due to switching from Adult Care Committee due to new job conflict of interest)

P. Appoint Margaret Cabell to the Nursing Home Advisory Committee (1-yr. initial term)

New Business:

Add: O. Establish Water/Sewer Districts, Complete Naming of Districts and Set Public Hearing

P. Presentation of Information on Proposed County Employee Health Clinic—*Stan Haywood*

Approval of Consent Agenda

On motion of Frye, seconded by Kemp, the Board voted unanimously to approve the Consent Agenda, as follows:

- *approve minutes 12/3/07 meeting;*
- *unseal closed session minutes from 1/8/07, 4/2/07 (II), 5/7/07 (I), and 8/6/07;*
- *reappoint Ernest Confer to Asheboro Planning Board;*
- *reappoint Mike Fogleman to the Liberty Planning and Zoning Board;*
- *reappoint Tom Kemp and D.E. Bullard to Randolph County Fire Commission;*
- *reappoint Larry Brown to Randolph County Planning & Zoning Board and Board of Adjustment;*

- adopt 2 DOT resolutions, as follows:

WHEREAS, the Department of Transportation has investigated Glade Road in the Winding Woods Subdivision; and

WHEREAS, the subject street has been found to meet minimum requirements for addition.

NOW, THEREFORE, BE IT RESOLVED by the Randolph County Board of Commissioners that Glade Road in the Winding Woods Subdivision be added to the Division of Highways' Secondary Road System.

and

WHEREAS, the Department of Transportation has investigated Harmony Trail, Reflection Lane, and Tranquil Lane in the Amity Acres Subdivision; and

WHEREAS, the subject streets have been found to meet minimum requirements for addition.

NOW, THEREFORE, BE IT RESOLVED by the Randolph County Board of Commissioners that Harmony Trail, Reflection Lane, and Tranquil Lane in the Amity Acres Subdivision be added to the Division of Highways' Secondary Road System.

- approve Budget Amendment #21 for Public Health (Partnership for Children), as follows:

| 2007-2008 BUDGET ORDINANCE—GENERAL FUND—AMENDMENT #21 | | |
|--------------------------------------------------------------|-----------------|-----------------|
| Revenues | Increase | Decrease |
| <i>Restricted Intergovernmental</i> | \$ 600 | |
| Appropriations | Increase | Decrease |
| <i>Public Health</i> | \$ 600 | |

- approve Budget Amendment #22 for Public Health (Chronic Disease & Injury/Cancer Prevention & Control Grant), as follows:

| 2007-2008 BUDGET ORDINANCE—GENERAL FUND—AMENDMENT #22 | | |
|--------------------------------------------------------------|-----------------|-----------------|
| Revenues | Increase | Decrease |
| <i>Restricted Intergovernmental</i> | \$ 5,365 | |
| Appropriations | Increase | Decrease |
| <i>Public Health</i> | \$ 5,365 | |

- approve Budget Amendment #23 for Public Health (Title X Grant), as follows:

| 2007-2008 BUDGET ORDINANCE—GENERAL FUND—AMENDMENT #23 | | |
|--------------------------------------------------------------|-----------------|-----------------|
| Revenues | Increase | Decrease |
| <i>Restricted Intergovernmental</i> | \$ 833 | |
| Appropriations | Increase | Decrease |
| <i>Public Health</i> | \$ 833 | |

- approve Budget Amendment #24 for Public Health (Pandemic Influenza Funding), as follows:

| 2007-2008 BUDGET ORDINANCE—GENERAL FUND—AMENDMENT #24 | | |
|--------------------------------------------------------------|-----------------|-----------------|
| Revenues | Increase | Decrease |
| <i>Restricted Intergovernmental</i> | \$ 20,000 | |
| Appropriations | Increase | Decrease |
| <i>Public Health</i> | \$ 20,000 | |

- approve Budget Amendment #25 for Soil & Water (Ecosystem Enhancement Program), as follows:

| 2007-2008 BUDGET ORDINANCE—GENERAL FUND—AMENDMENT #25 | | |
|--------------------------------------------------------------|-----------------|-----------------|
| Revenues | Increase | Decrease |
| <i>Sales & Services</i> | \$ 128,934 | |
| Appropriations | Increase | Decrease |
| <i>Soil & Water</i> | \$ 128,934 | |

- *approve Budget Amendment #26 (Transfer from Economic Development) for Malt-O-Meal, as follows:*

| 2007-2008 BUDGET ORDINANCE—GENERAL FUND—AMENDMENT #26 | | |
|--------------------------------------------------------------|-----------------|-----------------|
| Revenues | Increase | Decrease |
| <i>Transfer from Economic Development</i> | \$ 125,000 | |
| Appropriations | Increase | Decrease |
| <i>Other Economic Development</i> | \$ 125,000 | |

- *appoint Beth Moran to the Adult Care Home Advisory Committee;*
- *appoint Susan Behr to the Nursing Home Advisory Committee;*
- *appoint Margaret Cabell to the Nursing Home Advisory Committee.*

Jail Study Report and Budget Amendment Adoption

Col. Allen McNeill, Randolph County Sheriff's Office, said that the current Randolph County Jail has been open for over ten years and already suffers from overcrowding on many occasions. The current jail is rated at 196 beds but many times has housed well over 250 inmates. Knowing that the process of adding to the Jail will take several years to plan and build, it is imperative to get started now as overcrowding will only get worse. Col McNeill said that a meeting was held in early November with Brennan Architects LLC to discuss a strategy on how to address the Jail's current overcrowding and how and when to proceed with a plan to add additional beds. Their proposal includes the following services: develop a detention population forecast through 2030, define an inmate profile based on population sampling, develop a detailed space program, define the scope of a facility to accommodate forecasted bed capacity needs, provide conceptual design drawings, establish a recommended capital improvement budget, discuss financing options to include leasing beds, report production and presentation. The fee for these services is \$20,150. He said that work can begin immediately, and conceptual design will be complete within 120 days of Notice to Proceed.

On motion of Frye, seconded by Kemp, the Board voted unanimously to hire Brennan Architects LLC to conduct a feasibility study on the Randolph County Jail at a cost of \$20,150 and to approve Budget Amendment #27, as follows:

| 2007-2008 BUDGET ORDINANCE—GENERAL FUND—AMENDMENT #27 | | |
|--------------------------------------------------------------|-----------------|-----------------|
| Revenues | Increase | Decrease |
| <i>Appropriated Fund Balance</i> | \$ 20,150 | |
| Appropriations | Increase | Decrease |
| <i>Sheriff</i> | \$ 20,150 | |

Approval of Law Enforcement Restricted Funds Purchase for Regional SBI Lab; Budget Amendment

Col. Allen McNeill said that the Randolph County Sheriff's Office has been working with many other local Sheriff's Offices and police departments to lobby the Legislature and the State Bureau of Investigation to build and locate another evidence lab in the Triad area in order to reduce the backlog of

criminal cases in the court system awaiting evidence to be analyzed. The Legislature included funding in this year's budget to locate a regional S.B.I. evidence lab in Greensboro at a cost of several million dollars. However, the Legislature asked that additional one-time funds be supplied by the law enforcement agencies in the Triad area to help purchase equipment to start up the operation. The U.S. Department of Justice has concluded that the use of Law Enforcement Restricted Funds is allowable in this situation. Col. McNeill asked the Commissioners to approve the expenditure of \$10,446 in Law Enforcement Restricted Funds to be transferred to the North Carolina State Bureau of Investigation – SBI Triad Lab for Randolph's contribution to locate this lab in the Triad area.

On motion of Haywood, seconded by Lanier, the Board voted unanimously to approve \$10,446 in Law Enforcement Restricted Funds to be transferred to the N.C. SBI for a new Triad lab and Budget Amendment # 28, as follows:

| 2007-2008 BUDGET ORDINANCE—GENERAL FUND—AMENDMENT #28 | | |
|--------------------------------------------------------------|------------------------|------------------------|
| <i>Revenues</i> | <i>Increase</i> | <i>Decrease</i> |
| <i>Appropriated Fund Balance</i> | <i>\$ 10,446</i> | |
| <i>Appropriations</i> | <i>Increase</i> | <i>Decrease</i> |
| <i>Sheriff</i> | <i>\$ 10,446</i> | |

Approval of GPS Monitoring Grant, Hiring of Deputy and Budget Amendment

Col. Allen McNeill said that the Randolph County Sheriff's Office, subject to the approval of the Commissioners, has been awarded a NC Governor's Crime Commission grant in the amount of \$152,000 to start a G.P.S. Monitoring Program for those released from jail on House Arrest, specifically, those released for domestic violence related crimes. The grant is for a period of two years and is a 100% grant, which requires no match from the County. It is possible, but not formally approved at this time, that the grant will be extended to four years. The grant allows for the hiring of one sworn deputy to monitor these defendants. The grant also has funds for the purchase and/or lease of equipment and becomes effective as soon as it is approved by the Randolph County Commissioners. It is part of a five-county pilot project to begin the widespread use of G.P.S. tracking technology to better monitor those released on House Arrest and is the only project of its type nationally. The addition of a House Arrest Officer, along with the funds to lease the G.P.S. monitoring units, will allow Randolph's current House Arrest Program to expand to monitor an additional 20 defendants, thus helping the overcrowding situation at the Jail. It also allows for better management of those released on House Arrest since it allows law enforcement the ability to either know the defendants' exact location at all times, or have a record of his locations. It also provides the ability to establish exclusion zones where the defendant is not allowed and issues an alert when those zones are violated. Randolph's current monitoring program monitors only whether the defendant is at home or not; once they leave home, there is no way to determine exactly where they go. Ironically, the Sheriff's Office has been exploring G.P.S. Monitoring for several months and had already tested several vendors' products and has written equipment lease proposals in-hand, ready to present to the Commissioners.

On motion of Frye, seconded by Kemp, the Board voted unanimously to approve the receipt of a NC Governor's Crime Commission grant in the amount of \$152,000, approve the hiring of an additional Deputy with grant funds, effective 1/16/08, and Budget Amendment #29, as follows:

| 2007-2008 BUDGET ORDINANCE—GENERAL FUND—AMENDMENT #29 | | |
|--------------------------------------------------------------|------------------------|------------------------|
| <i>Revenues</i> | <i>Increase</i> | <i>Decrease</i> |
| <i>Restricted Intergovernmental</i> | <i>\$ 152,000</i> | |
| <i>Appropriations</i> | <i>Increase</i> | <i>Decrease</i> |
| <i>Sheriff</i> | <i>\$ 152,000</i> | |

Presentation of Annual Audit Report

Collin Hill, Manager with Cherry Bekaert & Holland, presented and reviewed the County's Comprehensive Annual Financial Report for year ended June 30, 2007. He said his firm gave the County its highest level of opinion and commended the County's Finance Office for their good work and assistance.

Amendment of 10/1/07 Minutes; Naming of Water/Sewer Districts; Public Hearing Date Set

Aimee Scotton, Associate County Attorney, reminded the Board that at their October 2007 meeting, they heard a report from Hobbs Upchurch & Associates recommending the establishment of four water/sewer districts in Randolph County. The Hobbs Upchurch presentation was informational and was presented so that the Board could ask questions and indicate its approval or disapproval of the direction in which things were moving. The Board approved this plan and voted to move forward. In fact, the minutes from the October meeting indicated that the Board "voted unanimously to establish" the districts. While it seems clear to those of us who were present at the meeting that your vote was merely to approve of the districts as presented and not to formally establish them, the minutes from that meeting need to be amended to clearly state that the Board "voted unanimously its intent to establish" the water/sewer districts.

Ms. Scotton also said that at the October, 2007 meeting, in addition to the Board's voting its intent to establish the four water and sewer districts, it also voted on the names of three of the four districts. Given the area covered by the Deep River District, she said that the Board may wish to consider renaming that district the Eastern Randolph District. She also suggested that the unnamed district be named the Northwest Randolph District, given its geographic location.

Ms. Scotton said that NCGS 162A-86 sets forth the legal requirements for the formation of county water and sewer districts. Before a district may be established, a public hearing must be held on the matter. At the conclusion of the public hearing, the Board can (by resolution) create a county water and sewer district, if the following is found:

1. There is a demonstrable need for providing in the district water services, or sewer services, or both;
2. The residents of all of the territory to be included in the district will benefit from the district's creation; and
3. It is economically feasible to provide the proposed service or services in the district without unreasonable or burdensome annual tax levies.

Once the resolution has been adopted, it must be published and opponents will have 30 days from the first date of said publication in which to bring any action or proceeding questioning the validity of the resolution or of the creation of the water and sewer district.

Ms. Scotton asked that the Board set the following four public hearings for 5:00 p.m. on February 4, 2008:

1. Public Hearing for the creation of the Deep River (or Eastern Randolph) Water and Sewer District, said district to consist of the Townships of Liberty, Columbia, Coleridge, Brower, Richland, Grant, Franklinville, and Pleasant Grove, but excluding all territories lying within the corporate limits of a city or town and excluding any territories already located in an existing water and sewer district.
2. Public Hearing for the creation of the Uwharrie Water and Sewer District, said district to consist of the Townships of New Hope, Concord, Union, Cedar Grove, and Back Creek, but excluding all territories lying within the corporate limits of a city or town and excluding any territories already located in an existing water and sewer district.

3. Public Hearing for the creation of the Randleman Lake Water and Sewer District, said district to consist of the Townships of New Market, Level Cross, and Providence, but excluding all territories lying within the corporate limits of a city or town and excluding any territories already located in an existing water and sewer district.
4. Public Hearing for the creation of the Northwest Randolph Water and Sewer District, said district to consist of the Townships of Trinity and Tabernacle, but excluding all territories lying within the corporate limits of a city or town and excluding any territories already located in an existing water and sewer district.

On motion of Haywood, seconded by Lanier, the Board voted unanimously to amend the wording of the 10/1/07 minutes regarding the action on the water/sewer districts from "to establish four water and sewer districts" to "its intent to establish 4 water and sewer districts."

On motion of Kemp, seconded by Frye, the Board voted unanimously to name to four water/sewer districts, as follows: District 1–Eastern Randolph, District 2–Uwharrie, District 3–Randleman Lake, and District 4–Northwest Randolph.

On motion of Haywood, seconded by Lanier, the Board voted unanimously to set 5:00 p.m. on February 4, 2008 for a public hearing on the formal establishment of four water/sewer districts in Randolph County.

Public Hearing and Approval of Expansion of Guil-Rand Fire Tax District

Aimee Scotton, Associate County Attorney, said that a group of citizens has requested that their property be included in the Guil-Rand Fire Protection Tax District. In order to facilitate this request, the Guil-Rand District would need to be increased to include 27 parcels in the Trinity area (near Finch Farm and Kennedy Roads). The procedure for adding property to a fire tax district is set out in NCGS 69-25.11. The first requirement is the application of the owner or a two-thirds majority of the owners of the territory to be included. Ms. Scotton presented a copy of the petition, which includes the Property Tax Identification Numbers, submitted in accordance with this request. The next requirement is the approval of a majority of the board of directors of the fire department; this has also been done. She said that it was now time to hold the duly advertised public hearing, which was set by the Board at their last meeting. Maps of the proposed expansion have been available in the office of the Clerk to the Board and at the Archdale Public Library. She told the Board that following the conclusion of the public hearing, the Board could approve or deny the request. If it is approved, then the area of the Guil-Rand tax district would be increased to include the properties listed on the petition, as presented.

Chairman Holmes opened the public hearing.

Richard K. Paul asked the Board what led to the decision to establish the water and sewer districts.

Vice Chair Frye said that citizens have requested utilities for years.

John Cable, 5930 Lacy Court, said that he had initiated the petition and took it and a map around obtaining signatures. He said that two others would have signed it, but he was only recently able to talk to them. Mr. Coble said that this area is in an unprotected area and wants a fire department to protect his home. He said that he was speaking on behalf of several other people. He is the Chairman of the Archdale/Trinity School Tax District and inclusion of this area into the Guil-Rand District would provide protection to the new Wheatmore High School, when it is finished.

Guil-Rand Fire Chief Brian Cox spoke to clarify that there will not be a ladder truck at the sub-station, but that there should be a response time of about 4-5 minutes.

On motion of Haywood, seconded by Frye, the Board voted unanimously to increase the Guil-Rand Fire Protection Tax District to include 27 parcels, as presented.

Presentation of Economic Development Corporation Annual Report

Bonnie Renfro, Economic Development Corporation President, reviewed 2007's economic picture for Randolph County and said that there was more than \$20,250,000 in new investment, with 264 new jobs created. Malt-O-Meal began construction of a new cereal manufacturing facility, investing more than \$100 million with plans to create 164 new jobs over the next three years. Also in 2007, the EDC assisted more than 200 existing companies in securing government contracts, accessing workforce training, diversifying product mix, and planning for business succession. Other highlights include X-Spooler relocating and expanding its electronic cable company to Franklinville, investing \$2 million to purchase and equip the new operation with plans to employ 25 in the first year and up to 60 within three years. Also, Hafele is expanding its Archdale distribution operation, adding more than 25 new jobs.

Ms. Renfro thanked and commended the Board for their support, specifically for their decisions on the new water/sewer district formation, building two new high schools and their support with the new Zoo School and Early College High School.

Approval of 2008 Strategic Technology Work Plan and Related Budget Amendments

Annette Crotts, Computer Services Director, presented the proposed 2008 Strategic Technology Work Plan, which follows, and added that it had been reviewed and approved by the Technology Planning Team (TPT) on December 19, 2007. She asked that the Board approve the plan.

1. Tax Appraisal Software Replacement - \$600,000 –The County Commissioners have already allotted \$500,000 towards the purchase of a Tax Billing and Collections system and designated \$114,300 towards replacing Tax Appraisal Software. The existing Tax software is over 20 years old and runs under antiquated operating systems. It is estimated that the appraisal software will cost \$700,000 in addition to the already allotted funds. The Tax Department currently has four bid proposals in-hand. They are researching the options provided by the different vendors and hope to make a presentation before the Commissioners in March of 2008. Therefore, the TPT is requesting that another \$600,000 be allotted in the Technology Fund towards replacing Tax Software. The TPT is also requesting that money in excess of completed technology projects and interest from the Technology Fund be rolled into the Tax software project to aid in the purchase of the appraisal software. We currently estimate \$100,000 in interest and surplus funds in the Technology Capital Fund. That will provide \$1,314,300 for replacing Tax Billing, Collections, and Appraisal Software. Tax Appraisal is the last big replacement project that was identified in the 2003 strategic planning effort that has not been fully funded.

2. Continue DSS Automation - \$0 - The foundation of automating Social Services is getting client case files stored on-line for easy retrieval and access. Social Services' case files are as crucial to their records automation as parcel mapping is to GIS. In addition, fraud is also more easily recognized and eliminated. (Multiple fraud cases have already been identified at Social Services through present automation efforts.) It is estimated that the County could easily recover \$106,500 per year in man-hour costs alone. Additional costs of approximately \$20,000 will be realized in equipment usage, paper, ink, toner, and filing supplies. It is important to note that these cost-saving estimates are based on three programs; there are currently six automated programs in operation at DSS. Fraud elimination could only increase savings.

In January 2006, the Commissioners allocated \$455,000 to automate three income maintenance programs at DSS. Since that time six income maintenance programs have been automated and a seventh should be implemented during February 2008. There are other programs, specifically Foster Care and Child & Adult Protective Services, that still need to be automated. The TPT is requesting that the remaining funds (estimated balance as of February 1, 2008 of \$133,411) be used to automate these

programs at DSS. In accordance with the 2006 Work Plan, temporary staff was hired to accomplish this work. Both the Documentation Imaging Project Coordinator and the Lead Scanner have been with this project from the very beginning. Now that the project is up and running and its success is evident, it is time to remove the temporary status. Ms. Crotts asked that the Commissioners approve two permanent positions: 1) MIS III position (Grade 70) within Information Technology, effective 2/1/2008, paid out of leftover DSS automation funds until June 30, 2008 to support on-line forms and document imaging hardware/software, and 2) Processing Asst III position (Grade 58) within DSS, effective 2/1/2008, paid out of leftover DSS automation funds until June 30, 2008 to scan all incoming paperwork whether by mail, fax, or dropped off for immediate availability by all DSS staff. The first position will reside in Information Technology and will keep forms updated and manage the database and server issues associated with all document imaging projects county-wide (in addition to DSS, the Sheriff's Office, Finance, Personnel, Public Health, and Environmental Health are all currently using document imaging with other departments slated for future implementation). The second position will be dedicated to scanning all incoming paper into DSS' document imaging system. If approved now until the end of June, new funding will need to reside within Information Technology's and DSS' budgets respectively.

| New Dollars Requested | Project Name | Projected time line |
|-----------------------|-------------------------|---------------------|
| \$600,000 | Tax Appraisal Software | 2008-2009 |
| \$0 | Continue DSS Automation | 2008-2009 |

On motion of Kemp, seconded by Frye, the Board voted unanimously to approve the 2008 Strategic Technology Work Plan, which appropriates \$600,000 to the Technology Capital Fund for Tax software and rolls all excess funds and interest from this capital fund into Tax's software replacement fund, extends the DSS automation project using leftover funds to automate the remaining DSS programs, approves a new MIS III position (Grade 70) within Information Technology, effective 2/1/2008, paid out of DSS automation funds until June 30, 2008, and approves a new Processing Asst. III position (Grade 58) within DSS, effective 2/1/2008, paid out of DSS automation funds until June 30, 2008 and approves Budget Amendment #30 to the General Fund and Budget Amendment #3 to the Technology Capital Project Ordinance, to provide the financial resources to accomplish the 2008 Work Plan:

| 2007-2008 BUDGET ORDINANCE—GENERAL FUND—AMENDMENT #30 | | |
|--------------------------------------------------------------|-------------------|-----------------|
| Revenues | Increase | Decrease |
| <i>Appropriated Fund Balance</i> | <i>\$ 600,000</i> | |
| Appropriations | Increase | Decrease |
| <i>Transfer to Technology Capital Project</i> | <i>\$ 600,000</i> | |

| TECHNOLOGY CAPITAL PROJECT ORDINANCE—AMENDMENT # 3 | | |
|-----------------------------------------------------------|-------------------|-----------------|
| Revenues | Increase | Decrease |
| <i>Investment Earnings</i> | <i>\$100,000</i> | |
| <i>Transfer from General Fund</i> | <i>\$ 600,000</i> | |
| Appropriations | Increase | Decrease |
| <i>Network Fax Server</i> | | <i>\$ 837</i> |
| <i>Upgrade Exchange</i> | | <i>\$691</i> |
| <i>Tax Appraisal Software</i> | <i>\$ 701,528</i> | |

The Board also asked Ms. Crotts to make quarterly progress reports on the technology work plan, which should include testimonials from departments.

Approval of New Elections Position and Budget Amendment

Patsy Foscue, Elections Director, asked the Board for a full-time Elections Deputy position. This position request is based on Randolph County's increased voter registrations and ongoing technical requirements. The Elections office has been staffed with the Director and 2 full-time Deputy Directors since before 2000. The voter registration on January 1, 2000 totaled 47,004, and Randolph's voter registration base has steadily increased to today's total of 79,534, a 70% increase. Accordingly, Ms. Foscue said that another position is needed to meet the current work load and is requesting funding for salary for the position for the balance of this fiscal year. The cost for the 5 months of February – June 2008 would be \$14,310, which would include salary and benefits.

On motion of Frye, seconded by Holmes, the Board voted unanimously to approve a new Elections Deputy position, effective 2/1/08, and Budget Amendment #31, as follows:

| 2007-2008 BUDGET ORDINANCE—GENERAL FUND—AMENDMENT # 31 | | |
|---------------------------------------------------------------|-----------------|-----------------|
| Revenues | Increase | Decrease |
| <i>Unrestricted Intergovernmental</i> | <i>\$14,310</i> | |
| Appropriations | Increase | Decrease |
| <i>Elections</i> | <i>\$14,310</i> | |

Resolution Approving Financing by Westside Fire Department

Chief Recil Williamson, Westside Fire Department, requested Commissioner approval for Westside to secure tax-exempt financing for a new fire engine. The following are the steps a fire department must go through to achieve tax-exempt status:

- The fire department board of directors sets a date for a public hearing on the financing, which must first be advertised in a newspaper of general circulation at least 14 days prior to the public hearing.
- After the public hearing, the board of directors adopts a resolution approving the financing terms and prepares minutes of their public hearing.
- The board of directors provides a copy of their minutes and resolution to the County Commissioners and requests approval for the tax-exempt financing.
- The Board of Commissioners places this item on their next agenda. To approve the financing, the Commissioners must adopt a resolution approving the tax-exempt financing and the conduct of the fire department's public hearing.

Mr. Williamson said that Westside's public hearing was held January 3, 2008. The minutes of that public hearing and the resolution adopted by the Fire Department's Board of Directors have been reviewed and approved by our staff attorney. Mr. Williamson asked the Board for their approval.

On motion of Frye, seconded by Haywood, the Board voted unanimously to adopt the following resolution regarding tax-exempt status for financing of a new fire engine for Westside Fire Dept.:

WHEREAS, Westside Volunteer Fire Department has determined to finance an amount of up to \$500,000 for a new fire engine; and the United States Internal Revenue Code requires that for such financing to be carried out on a tax-exempt basis, this Board must first approve the financing; and

WHEREAS, the Fire Department has held a public hearing on the financing after published notice, as required by the Code; and the Fire Department has reported the proceedings of the hearing to this Board;

NOW, THEREFORE, BE IT RESOLVED by the Randolph County Board of Commissioners that:

1. The County approves the Fire Department's entering into the financing, as required under the Code for the financing to be carried out on a tax-exempt basis. The Fire Department's conduct of the required public hearing is approved.

2. *Nothing contained or set out herein should be construed as obligating the County in any manner as a guarantor of any indebtedness whatsoever.*

3. *The County is not obligated nor legally or equitably responsible for the payment of or the security of any debt incurred by the Fire Department, nor does the County pledge any of its full faith and credit nor does it in any manner make this resolution to induce any party to lend monies or otherwise finance the Fire Department.*

Recess

At 6:30 p.m., the Board took a short recess and returned to regular session at 6:35 p.m.

Rezoning Pubic Hearing

County Attorney Alan Pugh recused himself from the Jackie McNeill zoning request due to his representing Mr. McNeill on a prior case and stated that Associate County Attorney Aimee Scotton would be advising the Board on this request.

At 6:35 p.m., Hal Johnson, County Planning and Zoning Director, presented a request from Jackie McNeill. Mr. McNeill is requesting that 21.48 acres out of 34.2 acres on Buffalo Ford Road/Cox Brothers Road, Grant Township, be rezoned from RA to CVOE-CD. Tax ID#s 7790733888. Secondary Growth Area. The proposed Conditional Zoning District would specifically allow the development of a 15-lot subdivision for modular homes or site-built homes with a minimum house size of 1,400 sq. ft. (Martha J. Ferrell-Property owner). The Planning Board reviewed this request at a public hearing on November 6, 2007 and recommended by a vote of 6 to 1 that this request be denied due to traffic safety concerns, proposed lot sizes, and the number of proposed driveway connections to the existing roads. The Planning Board found the following policies within the Growth Management Plan that support determination of consistency with this recommendation:

Policy 6.22 New driveway connections should be designed in a way to minimize new locations on existing public roads.

Policy 6.23 The County should encourage the use of rural lot subdivision designs where the size of lot allows for open space and groundwater recharge areas preserved by careful siting of the principal and accessory uses as noted through subdivision plat notations and related deed restrictions.

Mr. Johnson reminded the Commissioners that they heard this request at their December meeting and postponed a decision on the request until the January 2008 meeting. Mr. Johnson said that Mr. McNeill increased the minimum house size requirement from 1,200 to 1,400 sq. ft. He also said that the Dept. of Transportation has permitted 10 driveways onto Buffalo Ford Road and 6 driveways onto Cox Brothers Road.

Chairman Holmes announced that since a public hearing was held in December on this request, the Board would hear only one person from each side at this time. Chairman Holmes opened the floor for comment.

Jackie McNeill spoke in support of his request, saying that the request meets all criteria that the County has required.

Tommy Allen, spoke in opposition, saying that this subdivision would hurt property values in the area. He also had concerns that the 15 additional wells would adversely affect the water table. Traffic issues were also a concern of Mr. Allen; there are two school bus routes on the road. Also, the subdivision would affect the “ruralness” of the area.

Chairman Holmes closed the public hearing.

On motion of Lanier, seconded by Kemp, the Board voted unanimously to approve the request of Jackie McNeill, as determined consistent with the following policies contained within the adopted Growth Management Plan and as recommended by the Technical Review Committee: 6.13 Conventional Residential Subdivision are anticipated of similar housing characteristics to the community; 6.14 Residential subdivisions should, in order to promote efficiencies in the delivery of urban services, be encouraged to develop in a fashion which minimizes "leap frog" development (i.e. leaving large vacant areas between developments); 6.15 Residential neighborhoods in Primary and Secondary Growth areas that have become infused or surrounded by non-residential uses may undergo an orderly conversion through the rezoning process from residential use to higher density residential use or other compatible alternative land uses.

At 6:50 p.m., the Board adjourned to a duly advertised public hearing to consider rezoning requests. Hal Johnson presented the following requests, and Chairman Holmes opened the public hearing for comments on each request and closed it before taking action on the requests.

1. **BYRD ISOM**, Ramseur, North Carolina, is requesting that 1/00 acre (out of 82.70 acres) located at 506 Parks Crossroads Church Road, Columbia Township, be rezoned from RA to RBO-CD. Secondary Growth Area. Tax ID# 8722435093. The proposed Conditional Zoning District would specifically allow the operation of a retail store and a canning/baking facility for fruit and vegetable products. The Planning Board reviewed this request at a public meeting on December 4, 2007 and unanimously recommended that this request be approved.

Policies within the Growth Management Plan that support determination of consistency with the adopted plan with this recommendation:

Policy 1.3 *The continued growth of Randolph County's heritage tourism industry will be encouraged.*

Policy 10.4 *The County should recognize through land use decisions that properly designed development can co-exist along conservation areas, protecting our natural heritage and making Randolph County's quality of life sustainable.*

Byrd Isom spoke in support of his request.

On motion of Haywood, seconded by Frye, the Board voted unanimously to approve the request of Byrd Isom, as determined consistent with policies contained within the adopted Growth Management Plan and outlined in the Planning Board recommendation.

2. **JEROME DAVIS**, Archdale, North Carolina, is requesting that 20.5 acres out of 58.36 acres located on Elmer Beeson Road, New Market Township, be rezoned from RA to RBO-CD. Rural Growth Area. Randleman Lake Watershed. Tax ID# 7737832650. The proposed Conditional Zoning District would specifically allow the operation of a sports riding arena and facility as per site plan. Mr. Johnson stated that Mr. Davis wants to increase the number of events at the site and wants to be able to have a small retail sales area there. The Planning Board reviewed this request at a public meeting on December 4, 2007 and unanimously recommended that this request be approved.

Policies within the Growth Management Plan that support determination of consistency with the adopted plan with this recommendation are

Policy 1.3 *The continued growth of Randolph County's heritage tourism industry will be encouraged.*

Policy 10.4 *The County should recognize through land use decisions that properly designed development can co-exist along conservation areas, protecting our natural heritage and making Randolph County's quality of life sustainable.*

Jackie Swigart, Spencer Road, said that when the new Hwy. 311 is built, traffic from residences on Spencer Road will have to be rerouted around Elmer Beeson Rd. and then onto Cedar Square Road. They

are concerned about the traffic during the events. They also asked how many events would be allowed in a year.

Jack Swigart, 2912 Spencer Rd., asked for clarification on the acreage that would be involved.

Mr. Johnson clarified that the request was for 20.5 acres out of 58.36 acres. He also said that the applicant was not present.

On motion of Frye, seconded by Lanier, the Board voted unanimously to refer the request of Jerome Davis back to the Planning Board in regard to traffic pattern issues and possible improvements to Elmer Beeson Road resulting from the future closing of the west end of Spencer Road due to the new Hwy 311 and clarification on the number of events that Mr. Davis plans for the site.

Approval of New Position at Health Department

MiMi Cooper, Health Department Director, said that in October the Health Dept. received additional funds from the Division of Public Health in the category of Aid to Counties. This money is recurring funding from the North Carolina Legislature to strengthen local health departments in the core functions of services offered. She said her staff has identified a need for additional clerical support in our environmental health programs with an emphasis on scanning documents in order to improve access to records. Therefore, she requested a new Processing Assistant III position at 80%. The annual salary and benefits for this position total \$27,485.45, which can be funded with the additional monies and reallocated funds in her current budget.

On motion of Frye, seconded by Kemp, the Board voted unanimously to approve a new Processing Assistant III position at 80% for the Health Department, as requested, effective 2/1/08.

Approval of Amendment to Animal Control Ordinance

Public Health Director MiMi Cooper said that the Health Department has been operating the Animal Control Program since 1996. One of the most important lessons learned is that there is an animal overpopulation problem in our county. The adoption fee for animals at the shelter has been kept low for years in order to allow new owners to spend their money at the veterinarian of their choice for health care and spay/neuter. Unfortunately, most animals that leave the shelter do not visit a veterinarian and do not get spayed or neutered. Therefore, Ms. Cooper feels that we are contributing to the problem of overpopulation and its consequences of unwanted, abandoned animals. In addition to the overpopulation problem, we have a higher incidence of bites to people from unneutered dogs and cats. The Humane Society of the United States also states that on average neutering a male dog reduces the likelihood of a bite from that animal. Aggressive/territorial behavior is significantly reduced by neutering. Ms. Cooper is requesting that the Ordinance to Control Animals in Randolph County be amended to read, (page 4 and 5, paragraph a.) "The Randolph County Health Department shall develop and periodically review and revise standards for adoption taking into consideration the health and safety of animals and people." New proposed standards for adoption will be presented to the Board of Health at their April meeting for their approval that will include spay/neuter for all animals adopted from the shelter. The cost of the change will be added to the fee for adoption. Hopefully, Randolph County will experience the same results as Buncombe County who reported a 16% decrease in calls to pick up strays; the animal intake number fell by 12% and the euthanasia number fell by 12% after implementing such a change.

On motion of Kemp, seconded by Haywood, the Board voted unanimously to amend the Animal Control Ordinance by removing the following language under Section 3. Animal Control A. Shelter Operation 2. Adoption/Redemption/ Release from Owner (a). 2nd sentence: "If the animal is considered by the Health Director not to be dangerous to people or other domestic animals and appears to be healthy,

the animal can be offered for adoption to a responsible adult who is willing to comply with this ordinance.” and adding the following language in its place: “The Randolph County Health Department shall develop and periodically review and revise standards for adoption taking into consideration the health and safety of animals and people.”

Approval of Increase in Mileage Reimbursement Rates for Ambulance Transports

Neil Allen, Emergency Services Director, said that CIGNA HealthCare, which administers the Medicare Program, has increased the allowable mileage fee for ambulances to \$6.42/loaded mile. Currently Randolph County EMS is charging a mileage fee of \$6.25/loaded mile. The Center for Medicare Services announced this change on 11/9/07, with an effective date of January 1, 2008. Mr. Allen asked that the fee be adjusted up to the \$6.42 approved rate. He estimated that the change would generate approximately \$1,400 in increased revenues per month, which would help with high fuel costs.

On motion of Frye, seconded by Haywood, the Board voted unanimously to increase the allowable mileage fee for ambulances to \$6.42/loaded mile.

Approval of Amendment to Walker Avenue Building Lease Agreement

Will Massie, Finance Officer, said that Randolph County currently owns and is still financing the Walker Avenue building in Asheboro, which is used by Sandhills Center as its main facility in the County. Because the bottom floor is not being used by them, Sandhills Center is willing to amend the lease contract and allow us to use the space for Cooperative Extension. The County will take over maintenance and certain utility payments as its share of the building's operating costs. Telephone, Internet, security, and cleaning services are still the responsibility of Sandhills Center for its two floors. The original lease requires \$101,400 in rent by Sandhills Center, which is used to help offset our annual debt service payments. This amount will remain unchanged until 2015, when the debt is retired. At that time, the lease is to reduce to \$1 per year; however, this amendment states that we will renegotiate lease provisions in 2015, especially to fairly allocate utilities. Mr. Massie asked that the Board approve the First Amendment to the Lease Agreement with Sandhills Center for the Walker Avenue building.

On motion of Haywood, seconded by Lanier, the Board voted unanimously to approve the first amendment to the Lease Agreement with Sandhills Center for the Walker Avenue Building, as follows:

THIS FIRST AMENDMENT TO LEASE AGREEMENT (the “Amendment”), made this 1 day of January, 2008, by and between RANDOLPH COUNTY, a North Carolina body politic, (hereinafter “Lessor”) and SANDHILLS CENTER FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE SERVICES, an agency, institution, and political subdivision of the State of North Carolina, (hereinafter “Lessee”);

WITNESSETH:

WHEREAS, Lessor and Lessee entered into that certain Lease Agreement dated February ____, 2003 (the “Lease”), for that certain parcel of land and improvements located at 110 West Walker Avenue, Asheboro, Randolph County, North Carolina, 27203 (hereafter, the “Premises”); and

WHEREAS, under Section 15 of the Lease, no amendment or modification of the Lease shall be valid or binding unless in writing and executed by the party to be bound; and

WHEREAS, Lessor and Lessee desire to amend the Lease in accordance with this written Amendment.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the receipt and sufficiency of which are hereby acknowledged, Lessor and Lessee amend the Lease upon the following

terms and conditions of this Amendment, and in accordance with the corresponding numbered paragraphs of the Lease:

FIRST: Paragraph 1 of the Lease shall be amended to read as follows:

1. Term and Rental. The term of this lease shall be a year-to-year term, beginning on the 1 day of July, 2003, and shall automatically renew each year for an indefinite period, subject to Lessee's privilege to cancel this lease due to the existence of any of the conditions as specified in Paragraph 2 below, at the rate of One Hundred One Thousand Four Hundred Dollars (\$101,400.00) per year until the current mortgage obligation of Lessor is paid in full, it being understood and agreed by and between Lessor and Lessee that Lessor's mortgage obligation shall be paid in full in calendar year 2015, and at such time as such mortgage obligation is paid in full, the rental thereafter for the Premises shall be at a rate of One Dollar (\$1.00) per year, with the remainder of the terms of this Agreement, including but not limited to the division of responsibilities and utility fees, subject to renegotiation, until the termination of this Lease Agreement.

SECOND: Paragraph 3(b) of the Lease shall be amended to read as follows:

3. Covenants of Lessee.

(b) Utility charges. Lessee covenants and agrees to pay all charges for telephone and/or internet services used by it on the Premises and agrees to contract for the same in Lessee's own name.

THIRD: Paragraph 3(c) of the Lease shall be amended to read as follows:

3. Covenants of Lessee.

(c) Operating expenses. Lessee covenants and agrees to pay costs and expenses of operations on or relating to the top two (2) floors of the Premises, including costs and expenses of janitorial and cleaning services, security services, painting, replacement of damaged or broken glass and other breakable materials in or serving the top two (2) floors of the Premises, and to contract for the same in Lessee's own name.

FOURTH: Paragraph 3(d) of the Lease shall be deleted.

FIFTH: There shall be a subparagraph (e) added to Paragraph 4, to read as follows:

4. Covenants of Lessor.

(e) Operating expenses. Lessor covenants and agrees to pay costs and expenses of operations on or relating to the lower level floor of the Premises, including costs and expenses of janitorial and cleaning services, painting, replacement of damaged or broken glass and other breakable materials in or serving the lower level floor of the Premises, and to contract for the same in Lessor's own name. Lessor further covenants, in relation to the whole of the Premises, to provide trash and garbage disposal, gardening and landscaping services, removal of snow and ice from the parking areas, sidewalks, and driveways serving the Premises, and replacement of lights and light fixtures in or serving the Premises, and to contract for the same in Lessor's own name.

SIXTH: There shall be a subparagraph (f) added to Paragraph 4, to read as follows:

4. Covenants of Lessor.

(f) Utility charges. Lessor covenants and agrees to pay all charges for water, sewage disposal, gas, electricity, light, heat, power, or other utility services used, rendered or supplied to or for the Premises, save and except as provided for in Section 3(b) above, and to contract for the same in Lessor's own name.

SEVENTH: There shall be a subparagraph (g) added to Paragraph 4, to read as follows:

4. Covenants of Lessor.

(g) Maintenance and repair expenses. Lessor covenants and agrees to maintain, repair, replace and keep the Premises and all improvements, fixtures and personal property thereon in good, safe and sanitary condition, order and repair in accordance with all applicable laws, ordinances, orders, rules and regulations (including, without limitation, the Americans with Disabilities Act) of governmental authorities having jurisdiction, now existing or hereafter enacted; to pay all costs and expenses in connection therewith; and to contract for the same in Lessor's own name. All maintenance and repairs by Lessor shall be done promptly, in a good and workmanlike fashion, and without diminishing the original quality of the Premises. Lessor shall be responsible for and shall bear the costs and expenses of replacement of, or extraordinary maintenance and repairs to, roofs, exterior walls, and structural elements of the Premises, unless the need for such replacement or repair is caused by the act or negligence of Lessee.

Except insofar as the Lease is changed by this Amendment or is in conflict with it, the Lease is hereby ratified by Lessor and Lessee.

Appointment of Legislative Liaison to NCACC

On motion of Frye, seconded by Kemp, the Board voted unanimously to appoint Harold Holmes as the legislative liaison to the North Carolina Association of County Commissioners.

Change of March Meeting Date Due to Conflict

On motion of Kemp, seconded by Haywood, the Board voted unanimously to change the March Commissioners meeting to March 10, 2008.

Adjournment

At 7:35 p.m., there being no further business, the meeting adjourned.

J. Harold Holmes, Chairman

Darrell L. Frye

Phil Kemp

Stan Haywood

Arnold Lanier

Cheryl A. Ivey, Clerk to the Board